

ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature – Second Regular Session

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1-28-16

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

Report of Regular Meeting  
Tuesday, January 26, 2016  
House Hearing Room 1 -- 2:00 p.m.

**Convened** 2:14 p.m.

**Recessed**

**Reconvened**

**Adjourned** 2:57 p.m.

**Members Present**

Mr. Ackerley  
Mr. Andrade  
Mr. Borrelli  
Mr. Campbell  
Ms. Fann  
Mrs. Fernandez  
Mr. Kopec  
Mr. Stevens, Vice-Chairman  
Mr. Gray, Chairman

**Members Absent**

**Agenda**

Original Agenda -- Attachment 1

**Request to Speak**

Report -- Attachment 2

**Committee Action**

<b><u>Bill</u></b>	<b><u>Action</u></b>	<b><u>Vote</u></b>	<b><u>Attachments</u> (Summaries, Amendments, Roll Call, Attendance)</b>
HB2080	HELD		
HB2249	DP	8-0-0-1	3, 4
HB2250	DP	8-1-0-0	5, 6
HB2251	DP	9-0-0-0	7, 8
Committee attendance			9



Andrea Allen, Chairman Assistant  
January 27, 2016

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

REVISED - 01/21/16

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ARIZONA HOUSE OF REPRESENTATIVES  
Fifty-second Legislature - Second Regular Session

Convened 2:14p  
adjourned 2:57p

REGULAR MEETING AGENDA

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

DATE Tuesday, January 26, 2016

ROOM HHR 1

TIME 2:00 P.M.

Members:

Mr. Ackerley  
Mr. Andrade  
Mr. Borrelli

Mr. Campbell  
Ms. Fann  
Mrs. Fernandez

Mr. Kopec  
Mr. Stevens, Vice-Chairman  
Mr. Gray, Chairman

- |    |  |  |
|----|--|--|
| 1. | Introduction of Staff                        |  |
| 2. | Appointment of Committee of Reference Member | Appoint Representative Fann as Chairman of the Committee of Reference      |
|    |  | Appoint Representatives Andrade and Campbell to the Committee of Reference |

Bills	Short Title	Strike Everything Title
→ HB2080	<u>Held</u> driving instruction permit; age requirement (Townsend; Borrelli, Finchem) TI, RULES	
→ HB2249	<u>dp</u> ADOT; authorized third parties (Gray) <u>8.0.0.1</u> TI, RULES	
→ HB2250	<u>dp</u> ADOT advertising; sponsorship; nonhighway assets (Gray) <u>8.1.0.0</u> TI, RULES	
→ HB2251	<u>dp</u> commercial motor vehicles (Gray) <u>9.0.0.0</u> TI, RULES	

**ORDER OF BILLS TO BE SET BY THE CHAIRMAN**

asa  
1/21/16

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# Information Registered on the Request to Speak System

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## *House Transportation and Infrastructure (1/26/2016)*

### **HB2080, driving instruction permit; age requirement**

#### **Oppose:**

Stuart Goodman, AAA Arizona, CSAA Insurance Group; Amanda Rusing, American Insurance Association; Kerry L. Hayden, FARMERS INSURANCE GROUP OF COMPANIES; Noel Young, ALLSTATE INSURANCE CO; Janna Day, National Safety Council Arizona Chapter

### **HB2249, ADOT; authorized third parties**

#### **Testified in support:**

Bill Fathauer, Arizona Department Of Transportation

#### **Support:**

Kevin Biesty, ADOT

### **HB2250, ADOT advertising; sponsorship; nonhighway assets**

#### **Testified in support:**

Kevin Biesty, ADOT; Bill Fathauer, Arizona Department Of Transportation

#### **Support:**

Steve Trussell, Arizona Rock Products Association

#### **All Comments:**

Steve Trussell, Arizona Rock Products Association: Great example of agency entrepreneurial approach to serious lack of funding.

### **HB2251, commercial motor vehicles**

#### **Testified in support:**

Bill Fathauer, Arizona Department Of Transportation

#### **Support:**

Kevin Biesty, ADOT

#### **Neutral:**

Tony Bradley, President and CEO, Arizona Trucking Association



# HOUSE OF REPRESENTATIVES

HB 2249

ADOT; authorized third parties

Prime Sponsor: Representative Gray, LD 21

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X Committee on Transportation & Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HB 2249 requires any employee of an authorized third party with the Arizona Department of Transportation (ADOT) who has access to private records to submit to a criminal records check.

## PROVISIONS

1. Requires an employee of an authorized third party with ADOT, who seeks authorization or certification and who has access to motor vehicle records, personal information or monies collected on behalf of the state, to provide a full set of fingerprints for a state and federal criminal records check.
2. Makes Technical Changes

## CURRENT LAW

ADOT is permitted to enter into written agreements and authorize third parties to perform limited or specific functions, including: title and registration, motor carrier licensing and tax reporting, dealer licensing, and driver licensing (A.R.S. § 28-5101). The Director of ADOT may require authorized third parties or their employees to become certified to perform any functions that they have been authorized to perform (A.R.S. § 28-5102). Currently, any applicant, partner or stockholder who seeks authorization or certification and owns 20% or more of an entity must provide a full set of fingerprints and pay for the cost of a criminal records check (A.R.S. §28-5105).

## ADDITIONAL INFORMATION

Arizona Administrative Code requires applicants for third-party authorization and certification to provide a full set of fingerprints for a criminal records check and stipulates that the applicant is responsible for the cost of fingerprinting and criminal records checks (R17-7-201 and R17-7-302).

**ARIZONA HOUSE OF REPRESENTATIVES**  
**Fifty-second Legislature - Second Regular Session**


**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2249

DATE January 26, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli					✓
Mr. Campbell		✓			
Ms. Fann		✓			
Mrs. Fernandez		✓			
Mr. Kopec		✓			
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		8	0	0	1

APPROVED:

  
RICK GRAY, Chairman  
DAVID W. STEVENS, Vice-Chairman

  
COMMITTEE SECRETARY

ATTACHMENT 4



# HOUSE OF REPRESENTATIVES

HB 2250

ADOT advertising; sponsorship; nonhighway assets

Prime Sponsor: Representative Gray, LD 21

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X Committee on Transportation & Infrastructure

Caucus and COW

House Engrossed

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## OVERVIEW

HB 2250 allows the Arizona Department of Transportation (ADOT) to establish a program to sell or lease advertising on nonhighway assets and allow monetary sponsorship of facilities and other assets. Requires all revenues accrued as a result of this program to be deposited into the state highway fund.

## PROVISIONS

1. Permits ADOT to establish a program to lease or sell advertising on nonhighway assets and allow monetary sponsorship of facilities and other assets of the department.
2. Stipulates that revenues generated from any advertisement and sponsorship program will be deposited in to the state highway fund.
3. Allows ADOT:
  - a. To establish rules to implement and administer the program.
  - b. Operate, modify, or terminate any advertising or sponsorship program.
  - c. Generate revenue from any advertising or sponsorship program.
  - d. Contract with a third party to perform any or all aspects of the program.
4. States that ADOT or a third party may negotiate and execute leases for variable terms, set lease rates, establish lease terms and prescribe forms for leases.
5. Requires the third party contracted with ADOT to include in the contract to compensation and the contractor's duties, including:
  - a. Furnishing, installing, maintaining and replacing the advertising and sponsorship space or media on ADOT assets and facilities.
  - b. Promoting and negotiating the leasing of advertising and sponsorship on the authorized assets and facilities of the department.
6. Allows ADOT and the third party to enter into a revenue sharing agreement.
7. Specifies that costs incurred under the program must be paid under agreements negotiated between ADOT or the third party and the advertisers or sponsors.
8. Terminates the program on July 1, 2026.
9. Defines *advertising*, *assets*, *facility* and *sponsorship*.
10. Makes conforming changes.

## **HB 2250**

### **CURRENT LAW**

ADOT is permitted to contract with a third party to install and maintain logo signs on any class of state highway or interstate highway system in the state, with all revenues being deposited into the state highway fund (A.R.S. § 28-7311).

**ARIZONA HOUSE OF REPRESENTATIVES**  
**Fifty-second Legislature - Second Regular Session**

**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2250

DATE January 26, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann		✓			
Mrs. Fernandez			✓		
Mr. Kopec		✓			
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		8	1	0	0

APPROVED:

Rick Gray  
RICK GRAY, Chairman  
DAVID W. STEVENS, Vice-Chairman

Andrea Allen  
COMMITTEE SECRETARY

ATTACHMENT 6



# HOUSE OF REPRESENTATIVES

HB 2251

commercial motor vehicles

Prime Sponsor: Representative Gray, LD 21

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X Committee on Transportation and Infrastructure

Caucus and COW

House Engrossed

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## **OVERVIEW**

HB 2251 changes the single axel load limit for an over-the-road bus and modifies the disqualification standards for commercial driver license holders.

## **PROVISIONS**

1. Exempts an over-the-road bus from the 2,000 pound single axel load limit, but requires the vehicle not to exceed 24,000 pounds.
2. Changes the timeframe for which a temporary international proportional registration and a temporary alternative proportional registration is valid from 90 days to 60 days.
3. Specifies that a commercial instruction permit holder is subject to the disqualification standards prescribed by statute.
4. Requires a commercial driver license or instruction permit be disqualified for at least 60 consecutive days if the Arizona Department of Transportation (ADOT) determines that the driver falsified information or documentation during the licensing process.
  - a. Mandates a commercial driver license or instruction permit be disqualified for at least one year if the driver is convicted of fraud related to the issuance of the license or permit.
  - b. States that a commercial driver license or instruction permit must be disqualified 10 days after ADOT receives a report of conviction or finding of responsibility.
5. Defines *over-the-road bus*.
6. Makes conforming changes.

## **CURRENT LAW**

A.R.S. § 28-1099 states that the gross weight imposed on the highway by the wheels of any one axle of a vehicle must not exceed 20,000 pounds. The director of ADOT may issue a special permit for the purpose of moving road machinery that exceeds this limit. The move must be from job-to-job within the state and from job-to-place of servicing and return within the state.

Currently, the cost of a temporary international proportional registration (A.R.S. § 28-2239) and a temporary alternative proportional registration (A.R.S. § 28-2267) is \$1 and is valid for 90 days.

A.R.S. § 28-3312 outlines the disqualification standards regarding a commercial driver license. Specifically, section I requires the beginning date of the disqualification of a commercial license or permit to be the date ADOT receives a report of conviction or finding of responsibility.

**ARIZONA HOUSE OF REPRESENTATIVES**  
**Fifty-second Legislature - Second Regular Session**


**ROLL CALL VOTE**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE BILL NO. HB 2251

DATE January 26, 2016 MOTION: dp

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Ackerley		✓			
Mr. Andrade		✓			
Mr. Borrelli		✓			
Mr. Campbell		✓			
Ms. Fann		✓			
Mrs. Fernandez		✓			
Mr. Kopec		✓			
Mr. Stevens, Vice-Chairman		✓			
Mr. Gray, Chairman		✓			
		9	0	0	0

APPROVED:

  
RICK GRAY, Chairman  
DAVID W. STEVENS, Vice-Chairman

  
COMMITTEE SECRETARY

ATTACHMENT 8

**ARIZONA STATE LEGISLATURE**  
 Fifty-second Legislature - Second Regular Session  
**COMMITTEE ATTENDANCE RECORD**

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

CHAIRMAN: Rick Gray VICE-CHAIRMAN: David W. Stevens

DATE	1/26/16	1/16	1/16	1/16	1/16
CONVENED	2:14pm	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	2:57pm				
MEMBERS					
Mr. Ackerley	✓				
Mr. Andrade	✓				
Mr. Borrelli	✓				
Mr. Campbell	✓				
Ms. Fann	✓				
Mrs. Fernandez	✓				
Mr. Kopec	✓				
Mr. Stevens, Vice-Chairman	✓				
Mr. Gray, Chairman	✓				

√ Present      --- Absent      exc Excused